BEST COPY
AVAILABLE

MONTANA LEGISLATIVE HISTORY

Chapter 231 19 95

Bill H _____ S 103 Original bill & history ____C

H. Committee on Highways & Transportation			S. Committee on Highways & Transportation		
Hearing Date(s)	Mar 01	✓ C	Hearing Date(s)	Jan 31	✓ C
	Mar 06	✓ C		_____	____C
	_____	____C		_____	____C
	_____	____C		_____	____C
Date Out	Mar 08	✓ C		Jan 31	✓ C

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

1/19	2ND READING CONCURRED	98	2
1/19	3RD READING CONCURRED	95	2
	RETURNED TO SENATE		
1/20	SIGNED BY PRESIDENT		
1/20	SIGNED BY SPEAKER		
1/20	TRANSMITTED TO GOVERNOR		
1/20	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 2		
	EFFECTIVE DATE: 01/20/95		

SB 101 INTRODUCED BY L. NELSON, ET AL.

ALLOW TRUSTEES OF A SCHOOL DISTRICT TO CREATE A TECHNOLOGY ACQUISITION FUND FOR ACQUIRING AND MAINTAINING TECHNOLOGICAL EQUIPMENT AND FOR TECHNICAL TRAINING FOR DISTRICT PERSONNEL

1/12	INTRODUCED
1/12	FIRST READING
1/12	REFERRED TO EDUCATION & CULTURAL RESOURCES
1/13	FISCAL NOTE REQUESTED
1/19	FISCAL NOTE RECEIVED
1/20	FISCAL NOTE PRINTED
1/27	HEARING
1/31	TABLED IN COMMITTEE
2/23	MISSED TRANSMITTAL DEADLINE FOR 45TH DAY
	DIED IN COMMITTEE

SB 102 INTRODUCED BY ECK, ET AL.

SB 102 WAS WITHDRAWN

BY REQUEST OF THE JOINT OVERSIGHT COMMITTEE ON CHILDREN AND FAMILIES

1/12	INTRODUCED
1/12	FIRST READING
1/12	REFERRED TO PUBLIC HEALTH, WELFARE & SAFETY
1/18	BILL WITHDRAWN
	(APPROPRIATION BILL MUST ORIGINATE IN HOUSE)

SB 103 INTRODUCED BY HARGROVE

REVISE DEFINITION OF "FEDERAL-AID SYSTEMS" TO CONFORM TO CURRENT LAW

BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

1/12	INTRODUCED		
1/12	FIRST READING		
1/12	REFERRED TO HIGHWAYS & TRANSPORTATION		
1/13	FISCAL NOTE REQUESTED		
1/17	FISCAL NOTE RECEIVED		
1/17	FISCAL NOTE PRINTED		
1/31	HEARING		
2/01	COMMITTEE REPORT—BILL PASSED		
2/02	2ND READING PASSED	50	0
2/03	3RD READING PASSED	50	0
	TRANSMITTED TO HOUSE		
2/06	FIRST READING		
2/06	REFERRED TO HIGHWAYS & TRANSPORTATION		
3/01	HEARING		
3/08	COMMITTEE REPORT—BILL CONCURRED		
3/11	2ND READING CONCURRED	95	3
3/14	3RD READING CONCURRED	91	8

RETURNED TO SENATE
3/16 SIGNED BY PRESIDENT
3/18 SIGNED BY SPEAKER
3/20 TRANSMITTED TO GOVERNOR
3/24 SIGNED BY GOVERNOR
CHAPTER NUMBER 231
EFFECTIVE DATE: 10/01/95

SB 104 INTRODUCED BY HARGROVE

CHANGE NAME OF HIGHWAY COMMISSION TO TRANSPORTATION COMMISSION

BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

1/12	INTRODUCED		
1/12	FIRST READING		
1/12	REFERRED TO HIGHWAYS & TRANSPORTATION		
1/19	HEARING		
1/27	COMMITTEE REPORT—BILL PASSED AS AMENDED		
1/28	2ND READING PASSED	45	0
1/30	3RD READING PASSED	49	0
	TRANSMITTED TO HOUSE		
1/31	FIRST READING		
1/31	REFERRED TO HIGHWAYS & TRANSPORTATION		
2/06	HEARING		
2/10	COMMITTEE REPORT—BILL CONCURRED		
2/21	2ND READING CONCURRED	96	3
2/22	3RD READING CONCURRED	96	1
	RETURNED TO SENATE		
2/28	SIGNED BY PRESIDENT		
3/02	SIGNED BY SPEAKER		
3/02	TRANSMITTED TO GOVERNOR		
3/06	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 75		
	EFFECTIVE DATE: 07/01/95		

SB 105 INTRODUCED BY JENKINS

PROVIDE THAT AN ADMINISTRATIVE RULE OBJECTED TO BY A MAJORITY OF MEMBERS OF THE ADMINISTRATIVE CODE COMMITTEE MAY NOT BE ADOPTED UNTIL THE END OF THE 6-MONTH PERIOD DURING WHICH THE RULE MUST BE ADOPTED, UNLESS PRIOR TO THAT TIME, THE COMMITTEE MEETS AND DOES NOT MAKE THE SAME OBJECTION

1/12	INTRODUCED		
1/12	FIRST READING		
1/12	REFERRED TO STATE ADMINISTRATION		
1/13	FISCAL NOTE REQUESTED		
1/16	FISCAL NOTE RECEIVED		
1/17	FISCAL NOTE PRINTED		
1/24	HEARING		
1/26	COMMITTEE REPORT—BILL PASSED AS AMENDED		
1/27	2ND READING PASSED	31	17
1/28	3RD READING PASSED	29	18
	TRANSMITTED TO HOUSE		
1/30	FIRST READING		
1/30	REFERRED TO STATE ADMINISTRATION		
3/01	HEARING		
3/02	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
3/06	2ND READING CONCURRED	66	33
3/07	3RD READING CONCURRED	71	28

HEARING ON SB 103

Opening Statement by Sponsor:

SEN. DON HARGROVE, Senate District 16, Belgrade, stated that there was a dispute between the state and the federal government on who was going to pay for the removal of a certain utility. There was a problem in current Montana law and SB 103 would take care of that problem.

Proponents' Testimony:

Nick Rotering, Staff Attorney, Department of Transportation, spoke in support of SB 103. **EXHIBIT 17**

Opponents' Testimony: None

Questions From Committee Members and Responses: None

Closing by Sponsor:

SEN. DON HARGROVE stated that this bill would save the state from future problems.

{Tape: 2; Side: B; Approx. Counter: 390; Comments: None.}

the State of Montana but Ruhl was the only Marine. He explained that Donald Ruhl sacrificed his life in a foxhole on Iwo Jima to save his comrades. He said the people of the proposed area would like to have a portion of that highway dedicated in his name. **REPRESENTATIVE PAVLOVICH** noted the fiscal note showed an approximate cost of $1200 to put up two signs, one on each end of the highway.

Proponents' Testimony:

Jim Jacobson, Administrator of the Montana Veterans Affairs Division, related that the veterans of the State of Montana were in support of HB 73. He said they felt it was due recognition of a World War II Marine who gave the ultimate sacrifice for his country, and the State of Montana should recognize him in this fashion.

Dick Baumberger, Disabled American Veterans Department of Montana, expressed strong support for HB 73.

Opponents' Testimony: None

Questions From Committee Members and Responses:

SENATOR LINDA NELSON asked **Gary Gilmore**, of the Montana Department of Transportation (MDT) if there were other portions of highways which were memorial highways. **Mr. Gilmore** stated that a portion of I-15 was the Mike and Maureen Mansfield Memorial Highway. **Mr. Jacobson** remarked that I-15 , from the Idaho border to the Canadian border, was the Veterans' Memorial Highway.

Closing by Sponsor:

REPRESENTATIVE PAVLOVICH stated he would like the record to show **Mr. Hal Masser, of the American Legion,** and **Mr. Joe Bren, of the VFW,** as supporting the Legislation. He informed the Chairman that **SENATOR MIKE HALLIGAN** had volunteered to carry the Bill on the Senate Floor.

HEARING ON SB 103

Opening Statement by Sponsor:

SENATOR DON HARGROVE, SENATE DISTRICT 16, Belgrade, stated the Bill had been requested by the Montana Department of Transportation (MDT). He stated that in 1991 a modification was

made on a federal highway through Yaak, Montana and that had resulted in a small utility company having to move some utilities at the cost of $250,000. He reported a dispute had ensued as to who was going to pay the moving costs. He explained that the Montana Supreme Court ruled in favor of the federal government and Montana assumed the costs. He concluded the federal government may have had a guilty conscience, as it wound up paying half of the costs. He attested that SB 103 would bring language into conformity with other definitions contained in Montana law and federal law. He maintained that if SB 103 had been in place in 1991 Montana would not have had to pay $250,000.

Proponents' Testimony:

Nick Rotering, Staff Attorney for the Montana Department of Transportation (MDT), read his written testimony, **(EXHIBIT #2).**

Opponents' Testimony:

None

Questions From Committee Members and Responses:

SENATOR MACK COLE asked if the federal government had commented on this issue since the law suit? **Mr. Rotering** replied they had not and added that the federal government understood what happened and had been very cooperative. He stated the federal government had no opposition to the Bill.

SENATOR REINY JABS inquired who would be responsible to pay the remaining 25% after the Department bore 75% of the cost. **Mr. Rotering** answered that the utility would and always had since 1965.

SENATOR JABS asked if the cost was based on the utility company doing the work and then charging the Department 75% of their cost. **Mr. Rotering** identified that as the normal procedure. If the utility was a large company they would do the work themselves. He stated that smaller companies generally contracted someone to do the work. He stated the moving of utilities was done during right-of-way acquisition, prior to construction.

SENATOR ARNIE MOHL asked if utility companies pay for putting their utilities on public right-of-way? **Mr. Rotering** stated there was a charge and they had to obtain a permit from the Department.

SENATOR MOHL asked what would happen in the case of new construction when utilities had to be moved and the state had purchased additional right-of-way? He asked if the utility was allowed to put their poles on public right-of-way at no charge? **Mr. Rotering** stated that was correct.

SENATOR MOHL suggested that was something which should be looked at in the future, as it did not seem right for the utilities to use public right-of-way at no charge and then charge the state each time the state needed them moved.

SENATOR GREG JERGESON asked if the Department audited the charges from the utility? He further questioned what would stop the utility from inflating the price of the move by 30% which would effectively mean the Department was paying 100%. **Mr. Rotering** stated there was currently a major audit by the Legislative Auditor regarding utility operations. He added that in larger projects both federal and state levels reviewed the charges.

SENATOR JERGESON asked how the Department was auditing the utility companies to be sure the state only paid the true and proper costs? **Mr. Rotering** said MDT had an audit staff who had audited various utility relocation projects.

SENATOR REINY JABS interjected that rural electric utilities had a standard formula used to determine costs.

CHAIRMAN TVEIT asked about page 1, line 30 where 'shall' had been struck and 'must' inserted? **Connie Erickson** stated the Legislative Council had certain language standards used in drafting legislation to make the laws clean and consistent. She said one of the standards was to use 'shall' when a duty or action was imposed and 'must' when there was more of a passive type action. She said the standard did not change the meaning, it just provided for more proper use of the words.

SENATOR JABS stated the current statute provided for utilities to pay 25%. He asked why utilities were required to pay even 25% of the cost of moving which did not benefit them at all? **Mr. Rotering** stated he could not answer that.

SENATOR MOHL asked for clarification that when the utility was not located on the public right-of-way and was required to move, the Department would pay 100%? **Mr. Rotering** stated that would be correct in a situation where the utility was on what had been private property which was later acquired by the Department.

Closing by Sponsor:

SENATOR HARGROVE stated SB 103 was intended to fix a weak spot in existing law and to preclude a future dispute over costs.

SENATOR CHARLES 'CHUCK' SWYSGOOD said the savings was shown to be $35,000 in the biennium and asked if the savings would go toward matching funds for highway construction? **Mr. Gilmore** stated the money currently came out of the operating expenses in the right-of-way division. He stated the money basically was not eligible to be used for construction costs per se. He stated that any money not used in the Division would revert back to the Highway Special Revenue Fund which was eligible for construction costs.

Closing by Sponsor:

SENATOR MOHL stated SB 114 was one of the bills discussed, which had to be done.

EXECUTIVE ACTION ON SB 114

Motion/Vote:

SENATOR MOHL MOVED SB 114 DO PASS AND THE MOTION CARRIED WITH SENATOR STANG VOTING NO.

EXECUTIVE ACTION ON HB 73

Motion: **SENATOR COLE MOVED HB 73 BE CONCURRED IN.**

Discussion:

SENATOR JABS stated $600 per sign seemed fairly high. **Mr. Gilmore** stated maintenance division had helped prepare the fiscal note. He added that the size of the signs played a major role in the cost, as well as cost of the posts and the construction work required.

Vote: **THE MOTION CARRIED UNANIMOUSLY.**

EXECUTIVE ACTION ON SB 103

Motion: **SENATOR MOHL MOVED SB 103 DO PASS**

Discussion:

SENATOR STANG asked if SB 103 was the result of another federal mandate. **Connie Erickson** explained that the Bill was to clarify who was supposed to pay for moving of utilities and to change the wording to conform to statute. **SENATOR STANG** stated that if it was all present law except for the change in the federal aid, then SB 103 would change nothing.

SENATOR JABS asked if interstate highways were paid by the federal government? **Mr. Gilmore** answered that the Interstate, as anything on the federal highway aide system, was paid approximately 80% by the federal government and 20% by with state funds. He said that when the state participates in 75% of the cost of moving a utility the federal government paid 80% of the state's 75%.

SENATOR STANG asked where the federal government got the money? **Mr. Gilmore** stated the money belonged to the taxpayers. **SENATOR STANG** made a clarifying statement that the taxpayers were paying 100% of the 75%.

SENATOR JERGESON stated that often times the definition had material influence on important events. He said that definitions could be important if in fact some word was wrong and a utility company could sue the State of Montana over highways not being designated as on the federal aid systems.

Vote: **THE MOTION THAT SB 103 DO PASS CARRIED WITH SENATOR STANG VOTING NO.**

ADJOURNMENT

Adjournment: The meeting was adjourned at 1:40 p.m.

SENATOR LARRY TVEIT, Chairman

Carla Turk, Secretary

LJT/cmt

MONTANA SENATE
1995 LEGISLATURE
HIGHWAYS AND TRANSPORTATION COMMITTEE

ROLL CALL DATE 1/31/95

NAME	PRESENT	ABSENT	EXCUSED
MACK COLE	X		
RIC HOLDEN	X		
REINY JABS	X		
GREG JERGESON	X		
ARNIE MOHL	X		
LINDA NELSON	X		
BARRY "SPOOK" STANG	X		
CHUCK SWYSGOOD, VICE CHAIRMAN	X		
LARRY TVEIT, CHAIRMAN	X		

SEN:1995
wp.rollcall.man
CS-09

SENATE STANDING COMMITTEE REPORT

January 31, 1995

MR. PRESIDENT:

We, your committee on Highways and Transportation having had under consideration SB 103 (first reading copy -- white), respectfully report that SB 103 do pass.

Signed: Larry Tveit
Senator Larry Tveit, Chair

Amd. Coord.
Sec. of Senate

Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Marc Racicot, Governor

SENATE HIGHWAYS
EXHIBIT NO. 2
DATE 1/31
BILL NO. SB103

January 31, 1995

Legal Services Unit
Telephone: (406) 444-6090
Fax: (406) 444-7206

The Honorable Larry Tveit, Chair
Senate Highways and Transportation Committee
Capitol Station
Helena, MT 59620

Re: Senate Bill 103

Dear Senator Tveit:

The Department of Transportation supports passage of Senate Bill 103 by Senator Don Hargrove, Senate District 16. This bill was introduced at the request of the Department of Transportation for two reasons. Section 1 of the bill amends existing state law, § 60-4-401, MCA, by revising subsection (3) by listing what highways are to be designated on the federal-aid systems. The four designated systems are:

(1) the National Highway System,
(2) the Primary Highway System,
(3) the Secondary Highway System, and
(4) the Urban Highway System.

This definition is consistent with those used in other statutes of the Montana Highway Code as is required by federal legislation, ISTEA. This amendment is also consistent with Senate Joint Resolution 17 (1993 Session) where the Department of Transportation was directed to assess the need for revision to Montana statutes as a result of changes in federal law and to propose to this Legislature in bill form recommended revisions. Section 1 accomplishes that task.

Section 2 of the bill amends section 60-4-403, MCA, dealing with relocation costs that the Department must pay utilities who presently occupy highway right-of-way, but need to move because of highway construction. Since 1965, three statutes have been in the Department's state code dealing with cost of utility relocation. The reason for the change was made at the recommendation of the Legislature Auditor's staff because of a recent Montana Supreme Court decision, Northern Lights v. Department of Transportation, ____ Mont. ____, 874 P.2d 6 (1994). In that decision, the Montana Supreme Court affirmed a lower court's decision that interpreted section 60-4-403, MCA, as requiring the State to reimburse 75 percent of relocation costs even if the particular highway construction project was not one of the Department's and was not one on the federal-aid system as indicated in section 60-4-401, MCA. While this case may be unique to its particular facts, it was

An Equal Opportunity Employer

suggested to clarify and prevent any further misunderstanding. The statute is amended to ensure that the 75 percent relocation costs paid by the Department are only for federal-aid system constructions of the Department.

This is not intended in any manner to change the existing way the Department deals with utility companies. It is intended only for the Department and not for any local governments. This bill only applies to those situations involving the Department of Transportation.

Very truly yours,

Nick A. Rotering

NICK A. ROTERING, Staff Attorney
Legal Services

NAR:jw

DATE 1-31

SENATE COMMITTEE ON Highways

BILLS BEING HEARD TODAY: SB 103 SB 114

HB 73

< ■ > PLEASE PRINT < ■ >

Name	Representing	Bill No.	Check One: Support	Check One: Oppose
Wendy				
Dick Baumberger	D.A.V	73	✓	
[illegible]	Mt Vet Affr Div	73	✓	
Gary Gilmore	MDT	SB 114	✓	
Nick Rotering	MDT	SB 103	✓	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

REGISTER.F10

HOUSE OF REPRESENTATIVES

Highways

ROLL CALL DATE March 1, 1995

NAME	PRESENT	ABSENT	EXCUSED
Rep. Shiell Anderson, Chairman			✓
Rep. Rick Jore, Vice Chairman, Majority	✓		
Rep. Pat Galvin, Vice Chairman, Minority	✓		
Rep. Joe Barnett	✓		
Rep. Matt Brainard	✓		
Rep. Bob Clark	✓		
Rep. Charles Devaney	✓		
Rep. Marian Hanson	✓		
Rep. Don Larson	✓		
Rep. Rod Marshall	✓		
Rep. Linda McCulloch	✓		
Rep. Daniel McGee	✓		
Rep. Jeanette McKee	✓		
Rep. Bill Ryan	✓		
Rep. Dore Schwinden		✓	
Rep. Roger Somerville	✓		
Rep. Joe Tropila	✓		
Rep. Jack Wells	✓		

Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

DATE 3-1-95
HB 103

Marc Racicot, Governor

March 1, 1995

Legal Services Unit
Telephone: (406) 444-6090
Fax: (406) 444-7206

The Honorable Sheill Anderson
Chair, House Highways and Transportation
State Capitol
Helena, MT 59620

Re: Senate Bill 103

Dear Representative Anderson:

The Department of Transportation supports passage of Senate Bill 103 by Senator Don Hargrove, Senate District 16. This bill was introduced at the request of the Department of Transportation for two reasons. Section 1 of the bill amends existing state law, § 60-4-401, MCA, by revising subsection (3) by listing what highways are to be designated on the federal-aid systems. The four designated systems are:

(1) the National Highway System,
(2) the Primary Highway System,
(3) the Secondary Highway System, and
(4) the Urban Highway System.

This definition is consistent with those used in other statutes of the Montana Highway Code as is required by federal legislation, ISTEA. This amendment is also consistent with Senate Joint Resolution 17 (1993 Session) where the Department of Transportation was directed to assess the need for revision to Montana statutes as a result of changes in federal law and to propose to this Legislature in bill form recommended revisions. Section 1 accomplishes that task.

Section 2 of the bill amends section 60-4-403, MCA, dealing with relocation costs that the Department must pay utilities who presently occupy highway right-of-way, but need to move because of highway construction. Since 1965, three statutes have been in the Department's state code dealing with cost of utility relocation. The reason for the change was made at the recommendation of the Legislature Auditor's staff because of a recent Montana Supreme Court decision, Northern Lights v. Department of Transportation, ____ Mont. ____, 874 P.2d 6 (1994). In that decision, the Montana Supreme Court affirmed a lower court's decision that interpreted section 60-4-403, MCA, as requiring the State to reimburse 75 percent of relocation costs even if the particular highway construction project was not one of the Department's and was not one on the federal-aid system as indicated in section 60-4-401, MCA.

While this case may be unique to its particular facts, it was suggested to clarify and prevent any further misunderstanding. The statute is amended to ensure that the 75 percent relocation costs paid by the Department are only for federal-aid system constructions of the Department.

This is not intended in any manner to change the existing way the Department deals with utility companies. It is intended only for the Department and not for any local governments. This bill only applies to those situations involving the Department of Transportation.

Very truly yours,

Nick A. Rotering

NICK A. ROTERING, Staff Attorney
Legal Services

NAR:jw

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Highways and Transportation COMMITTEE BILL NO. SB103, SB114, SB181, SB268

DATE 3-01-95 SPONSOR(S) Sen. Hargrove, Sen. Mohl, Sen. Weldon

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Pamela Sanburn	Self	SB181 X	
223 W. Railroad, Missoula, 59802 Leslie V. Stavern Miller	Self + Mt Artists	X	
Hope Stevens	Self	X	
SB 181 Lars Lithander	Frontier Outdoor	X	
DAIL KEEFER	Hall Outdoor	181 w/ Amends X	
John Waggoner	Jacco Outdoor	181 ✓	
Rose Magnuson	Citizens for Scenic Lake County	✓	
Rick McAmond	Mahre Advertising	—	
RICH MUNGER	Dept of Transportation	SB181	
Sara Busey	Save America's Visual Environment	✓ 181	
NICK ROTERING	DOT	SB 103 ✓	
Jean Keeler	Hall Outdoor	—	
Dave Loos	Save Quasar Visual Environ		
Bob Campbell	Self	SB 181	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

NO AMENDMENTS

EXECUTIVE ACTION ON SB 103

Motion: **REP. JOE BARNETT MOVED SB 103 BE CONCURRED IN.**

Discussion:

REP. DON LARSON spoke in support of SB 103. He also said that SB 103 would clarify in law something that the State is already doing.

REP. DAN McGEE stated that the Federal Highway Administration would like to change everything to metric and the general public is not familiar with the metric scale and he stated he would oppose this piece of legislation for that reason.

REP. PAT GALVIN asked if what **REP. McGEE** mentioned was in federal law. **REP. DAN McGEE** replied yes.

REP. MARIAN HANSON stated that she believed that the bill only related to utilities that needed to be moved. **REP. DAN McGEE** replied that it was renaming categories of highway and that would be part of the agenda.

REP. MATT BRAINARD asked if the federal aid system came down to this. **REP. DAN McGEE** replied that there has been a policy made at a federal level and he objected to it.

Vote: The question was called. **A voice vote was taken. Motion CARRIED 15 to 3 with REP. MATT BRAINARD, REP. DAN McGEE and REP. RICK JORE voting no.**

{Tape: 1; Side: A; Approx. Counter: 170; Comments: None.}

HEARING ON SB 355

Opening Statement by Sponsor:

SEN. GARY FORRESTER, Senate District 8, Billings, stated that SB 355 comes from years of negotiations with tow truck operators. They have come to a consensus and have asked the legislature to introduce a bill to update the law.

Proponents' Testimony:

Bob Gilbert, Montana Tow Truck Association, spoke in support of SB 355. **EXHIBITS 1, 2, and 3**

Milo Casagrande, Milo's Towing, President, Montana Tow Truck Association, supported SB 355.

Bill Sparr, Sparr's Towing, and Missoula County Towing Association, supported SB 355.

Terry Morrison, Montana Tow Truck Association, Bozeman, supported SB 355.

HOUSE OF REPRESENTATIVES

Highways

ROLL CALL DATE March 6, 1995

NAME	PRESENT	ABSENT	EXCUSED
Rep. Shiell Anderson, Chairman	✓		
Rep. Rick Jore, Vice Chairman, Majority	✓		
Rep. Pat Galvin, Vice Chairman, Minority	✓		
Rep. Joe Barnett	✓		
Rep. Matt Brainard	✓		
Rep. Bob Clark	✓		
Rep. Charles Devaney	✓		
Rep. Marian Hanson	✓		
Rep. Don Larson	✓		
Rep. Rod Marshall	✓		
Rep. Linda McCulloch	✓		
Rep. Daniel McGee	✓		
Rep. Jeanette McKee	✓		
Rep. Bill Ryan	✓		
Rep. Dore Schwinden	✓		
Rep. Roger Somerville	✓		
Rep. Joe Tropila	✓		
Rep. Jack Wells	✓		

HOUSE STANDING COMMITTEE REPORT

March 8, 1995

Mr. Speaker: We, the committee on **Highways and Transportation** report that **Senate Bill 103** (third reading copy -- blue) **be concurred in.**

Signed: Shiell W. Anderson

Shiell Anderson, Chair

Carried by: Rep. Barnett

Committee Vote:
Yes 15 No 3. Rep. Brainard

540814SC.Hbk